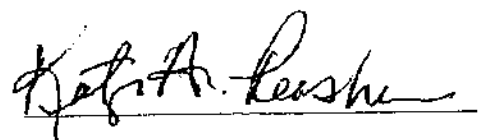


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STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the matter of)	Docket NO. 01-AFC-19
)	
SMUD Consumes Power)	
Plant Application for)	
Certification)	Breif on Phase 1 issues
)	Visual Resources
)	Visual Plume and Worker
)	Safety and Fire Protection

6-4-03
Date


Kathryn Peasha

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Visual Plumes

Staff has changed its testimony and its expert in the visual plumes assesment. Senior staff did not like the testimony and conclusions in staffs original analysis and have replaced the expert who did the original assesment. This is an extreme form of agency bias in favor of the applicant and taints the entire proceedings. The public is being denied a complete and unbiased analysis in violation of CEQA and the Warren Alquist Act. We herby object.

In the new analysis in the FSA 4.11-1 staff testifies that the plumes from the cooling tower would have a significant adverse impact except for the existence of the applicants existing Rancho Seco facility.

Staff testifies inconsistently with the visual resources analysis that the cumulative impacts of the plumes are adverse but not significant because of the existing Rancho Seco Facility. As with visual resources the existing degradation which residents have had to endure will be from the applicants existing facility.

Plume abatement technology is feasible for this facility and should be required since all the adverse impacts in the project area are the responsibility of the applicant. The CEC should require the applicant to install this technology as it is feasible and is consistent with other CEC decisions even when the applicant was not responsible for all the cumulative impacts.

Visual Resources

Page 4.12-1 of the FSA states that the proposed project impacts would be cumulatively considerable in combination with the adverse visual impacts of the existing Rancho Seco Plant another energy facility owned by the applicant. From all KOPS the visual quality is degraded by the existing Rancho Seco Plant. (FSA 4.12 11-14) Because of SMUD's existing facility the visual quality of the entire area is degraded. Residents have been exposed to this degraded visual quality for the life of the Rancho Seco facility and now the same applicant wishes to further degrade the viewscin the project area admitting that he has no intention of removing the original visual degradation the Rancho Seco plant which causes staff to charecterize the project areas visual Quality as degraded. Ultimately all visual impacts can be attributed to the applicant. The landscaping mitigation proposed is inadequate because it will take many years to reach maturity and will not provide adequate mitigation to offset the impacts from the Consumes Plant that staff has deemed adverse and significant in combination with the applicants existing Rancho Seco facility.

Worker Safety and Fire Protection

The committee has noted that it is inappropriate to expect a volunteer fire department to respond to a large energy facility without training and equipment to adequately protect themselves and the public. As such intervenor offers the following condition of certification to supply the necessary equipment, manpower and training noting that other energy facilities such as the EAEC have supplied local fire departments with similar resources.

Worker Safety and Fire Protection I-1

Upon delivery of the first turbine SMUD will provide to the Herald Fire Department:

- 1) A ladder truck capable of accessing the projects structures. Approximate cost \$850,000
- 2) A Hazardous materials trailer. Cost \$350,000
- 3) Hazardous material training for the department.
- 4) \$100,000 a year for the life of the facility to provide a group leader to coordinate response at the facility in event of an incident.

SUMMARY

At the evidentiary hearings, I gained substantial knowledge regarding the way the applicant (SMUD), staff, and the commission work.

Since I am not a lawyer and am working with minimal council, I fail to see the impact I may have with writing a typical summary, so I will not. Because of what we have endured over the last several months, I will make points on subjects that were addressed at the hearings and those that were not.

In whole, I find the hearings, all the data requests/responses, the unheard concerns of many property owners, stacks of informational paperwork, and the fact, as of this date, that the Army Corps of Engineers has not issued a permit, should make it apparent the WRONG PROJECT SITE was proposed for a gas-fired power plant.

Initially, the public was mislead about the "use" of Rancho Seco Plant. SMUD gave the outward appearance they would utilize the "dead horse" out in Herald that the consumers have been paying for since its "death." It sounded like a good plan to most SMUD consumers, but SMUD wants to use "new" bare land, which is critical habitat, instead of implementing the several acres of paved area and perfectly good administration buildings. Why? Because it is easier to build new than remodel-whatever the cost. Wouldn't it be less costly and less mitigation to purchase land in the vicinity of the Sacramento Regional Wastewater Treatment Facility and use reclaimed water than to run 26 miles of gas pipeline, mitigate the environmental impacts, impact the personal property of many land owners, and use clean water rights? Do the math-WRONG PROJECT SITE.

The fact SMUD wants to build a polluting gas-fired power plant, which entails enormous amounts of hazardous material in a remote area, where the closest fire department is a volunteer staff, is another factor that SMUD may have chosen the WRONG PROJECT SITE. Has the health and safety of plant workers and the community been carefully thought out?

Without a full-time haz-mat firefighter, a ladder-truck and hazardous material trailer, lives will be at risk.

While nuclear power is much cleaner and less costly, it most likely is not an option to sell to the community because of SMUD's failed attempt at RSP., and the thought of terrorism in this day and age. But *any* power plant has safety hazards and it needs to be protected to the fullest extent. Why would we make it remote without suitable fire protection? WRONG PLANT SITE.

Reclaimed water is now being used in irrigation on residential sprinkler systems, power plants, etc. What a great idea! To use SMUD's "right" in using clean water for a gas-fired power plant is ludicrous, especially in California. There is not a day we do not read about the value of conserving clean water. The use of clean water, at any volume, of gas-fired power plants should be useful. Reclaimed water could easily be obtained at Sacramento's Wastewater facility. SMUD should be embarrassed to even think of using clean water for a gas-fired power plant.

Air quality is another issue in the daily paper. SMUD has proposed to pave small residential roads to make up for the pollutants produced by the number one pollution producer, a gas-fired power plant. Vineyards, agricultural crops and farmland, surround this community and although credits for air quality are obtained by road paving, SMUD could do much more for our environment by using more advanced methodology. By implementing low emission fireplace inserts, that would take out viable toxins, residents could use the abundant firewood, that many have on our property, to heat their homes

The "dead horse" that still exists only downplayed the visual impact from the proposed power plant. If not for the "twin towers" the new power plant is a great "eyesore on our beautiful eastern sky and horizon." The plumes will be highly significant, and depending on wind, may also be extremely hazardous when driving east.

While Herald has become a more sought out place to live, only those of us who reside here are aware of the dangers with construction and hazardous material traffic. Because of the gradual elevation in this area, fog seems to engulf the roadways without notice, and we are concerned with the potential non-knowing driver who will not realize the risk and will put our children and commuters in harms way.

SMUD obviously has fallen behind schedule on this project. SMUD bifurcated the hearings to help rectify their incompleteness and yet they still have not obtained a permit from ACOE. Once again a "red flag" that they may have chosen the **WRONG PROJECT SITE**.

CONCLUSION

I have attended many workshops, received all the data available, and sat, listened and learned from the expertise provided by SMUD, Staff and the Commission at the evidentiary hearings.

It is the Commission's responsibility and obligation to choose a plant site that is accurately suitable for a power plant.

It is clear with all the data and evidence, the proposed site is less than suitable, not only in the safety issues, but strongly in the best interest of the environment.

I implore the Commission to see all the facts in whole, and reject the application for certification at this proposed project site for a power plant.

Thank You,

Kathryn A. Peasha
Intervener